Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 014 - 00051 - 6406 - 058 | Date: 01/03/14 | Time: 1820

Location: 660 S Alvarado St, Mac Arthur Park Red Line | City or Station: Los Angeles

Bureau/Station/Facility: TSB/ Homeland Security Division | Admin. Investigation: (•) YES ( ) NO

Type of Force: Control Hold/Takedown/Ripp Hobble/ Impact Weapon

Incident Category: ( ) 1 ( ) 2 (•) 3 | Deputy Injury: ( ) YES (•) NO | Suspect Injury (•) YES ( ) NO

☐ Call ☒ Observation ☐ Detail | ☐ Foot Pursuit ☐ Vehicle Pursuit

IAB Notified: (•) YES ( ) NO | Person Notified: Lt. Carter | Emp: [redacted] | IAB Roll Out (•) YES ( ) NO

Involved Employee

E 1

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]		Dep

Sex	Race	Height	Weight	Age	Shift	
(•) M ( ) F	[redacted]	[redacted]	[redacted]	[redacted]	( ) EM ( ) Day (•) PM	(•) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment: [redacted] | Work Assignment (Unit #, Module, etc.): [redacted]

Individual Force Used: Control holds, Ripp Hobble | ( ) Directed ( ) Rescue ( ) Medical Assist | Individual Category: ( ) 1 (•) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: | Coroner Case #

E 2

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Parker	Antoine		Dep

Sex	Race	Height	Weight	Age	Shift	
(•) M ( ) F	B	5-10	230	[redacted]	( ) EM ( ) Day (•) PM	(•) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment: TSB | Work Assignment (Unit #, Module, etc.): 644F

Individual Force Used: Control Holds. Impact Weapon (Sap) | ( ) Directed ( ) Rescue ( ) Medical Assist | Individual Category: ( ) 1 ( ) 2 (•) 3

☒ Injured ☒ Treated ☐ Admitted Facility: U.S. Health Works | Coroner Case #

E 3

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]		Dep

Sex	Race	Height	Weight	Age	Shift	
( ) M (•) F	[redacted]	[redacted]	[redacted]	[redacted]	( ) EM ( ) Day (•) PM	(•) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment: [redacted] | Work Assignment (Unit #, Module, etc.): [redacted]

Individual Force Used: Control Holds | ( ) Directed ( ) Rescue ( ) Medical Assist | Individual Category: (•) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: | Coroner Case #

On Duty Supervisor

☒ Additional Involved Employees

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Cho	Mina		Sgt	YES (•) NO ( )	YES (•) NO ( )

Supervisor Completing Investigation

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Hamil	Jeffrey	F	Sgt	YES ( ) NO (•)	YES ( ) NO (•)

Watch Commander / Supervising Lieutenant

Emp. #	Last Name	First Name	Middle I.	Rank
[redacted]	Mouat	Chris		Lt

Lt. Chris Mouat
Watch Commander / Supervising Lieutenant's **Signature:** | Date | Copy Provided to Employee by: | Emp #: [redacted]

Capt. Karl R. Schow
Unit Commander **(Print Name)** | Unit Commander's **Signature:** | Emp #: [redacted] | Date

DISCOVERY Use Only
FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

Supervisor's Report on Use of Force
SUSPECT INFORMATION

014 - 00051 - 6406 - 058

Suspect Information

S 1

Last Name: O'Neal | First Name: Shawn | Middle Name: | Armed? Select: Other

AKA Last Name: | First Name: | Middle Name:

Sex: (●) Male ( ) Female | Race: B | Age: 21 | Height: 5-09 | Weight: 164 | D.O.B: 10-10-92 | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: 3822129 | Primary Charge Code: 69 P.C. | Secondary Charge Code: 241 (C) P.C. | ☐ Criminal History

Treated on Scene? (●) YES ( ) NO | Name: LA City Fire | Unit: | Phone #:

Hospital Admission? ☒ | Rec'd Treatment At: LCMC | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: Dr. Darragh O'Carroll | Address: | Phone #: 323-409-8685

Under Influence: ( ) YES (●) NO | Substance: | 5150 a factor in force? ( ) YES (●) NO User's guide provides direction on this entry

Suspect Interview

Date: 01-03-14 | Time: 1900 | ☒ Audiotape: | ☐ Videotape: | ☒ Photos of Injuries: | ☒ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

014 - 00051 - 6406 - 058

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Cho	Mina	
Unit of Assignment: TSB	**Work Assignment (Unit #, Module, etc.):** 600S	**Shift:** ○ EM ○ Day ◉ PM	◉ Regular ○ OT ○ Off Duty
[redacted]	Hayhurst	Brent	
Unit of Assignment: TSB	**Work Assignment (Unit #, Module, etc.):** 641F	**Shift:** ○ EM ○ Day ◉ PM	◉ Regular ○ OT ○ Off Duty
[redacted]	Jacobs	Andrew	
Unit of Assignment: TSB	**Work Assignment (Unit #, Module, etc.):** 641F	**Shift:** ○ EM ○ Day ◉ PM	◉ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]			

Street Address	City	Zip Code	Phone #1	Phone #2
			[redacted]	

☐ **Additional Witness**

Supervisor's Report on Use of Force

0 1 4 - 0 0 0 5 1 - 6 4 0 6 - 0 5 8

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
O'NEAL	S-1	[redacted]	E-1	RS	NN	
O'NEAL	S-1	PARKER	E-2	PK	ST	WR
PARKER	E-2	O'NEAL	S-1	CR	NN	
[redacted]	E-2	O'NEAL	S-1	CR	NN	
O'NEAL	S-1	[redacted]	E-1	PH	NN	
O'NEAL	S-1	PARKER	E-2	PK	NN	
O'NEAL	S-1	[redacted]	E-4	RS	NN	
O'NEAL	S-1	[redacted]	E-8	BF	NN	
[redacted]	E-4	O'NEAL	S-1	CH	NN	
PARKER	E-2	O'NEAL	S-1	SP	CP	LE
[redacted]	E-1	O'NEAL	S-1	HB	NN	
O'NEAL	S-1	[redacted]	E-1	RH	NN	
O'NEAL	S-1	[redacted]	E-4	RS	NN	
O'NEAL	S-1	PARKER	E-2	RS	NN	
O'NEAL	S-1	[redacted]	E-7	PO	NN	
O'NEAL	S-1	[redacted]	E-6	PK	NN	
[redacted]	E-1	O'NEAL	S-1	CT	NN	
PARKER	E-2	O'NEAL	S-1	CT	FR	CH
PARKER	E-2	O'NEAL	S-1	CT	SD	FA
[redacted]	E-5	O'NEAL	S-1	RH	NN	
[redacted]	E-7	O'NEAL	S-1	CT	NN	
[redacted]	E-3	O'NEAL	S-1	CT	NN	
[redacted]	E-6	O'NEAL	S-1	CT	NN	
[redacted]	E-8	O'NEAL	S-1	CT	NN	
[redacted]	E-4	O'NEAL	S-1	CT	NN	

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation

0 1 4 - 0 0 0 5 1 - 6 4 0 6 - 0 5 8

Involved Employee

E 4

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]		Dep

Sex	Race	Height	Weight	Age	Shift	
(●) M ( ) F	[redacted]	[redacted]	[redacted]	[redacted]	( ) EM ( ) Day (●) PM	(●) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment: [redacted]

Work Assignment (Unit #, Module, etc.): [redacted]

Individual Force Used: Control Holds — ( ) Directed ( ) Rescue ( ) Medical Assist

Individual Category: (●) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______

Coroner Case #:

E 5

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]		B-1

Sex	Race	Height	Weight	Age	Shift	
( ) M (●) F	[redacted]	[redacted]	[redacted]	[redacted]	( ) EM ( ) Day (●) PM	(●) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment: [redacted]

Work Assignment (Unit #, Module, etc.): [redacted]

Individual Force Used: Control Holds — ( ) Directed ( ) Rescue ( ) Medical Assist

Individual Category: (●) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______

Coroner Case #:

E 6

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]		S/A

Sex	Race	Height	Weight	Age	Shift	
(●) M ( ) F	[redacted]	[redacted]	[redacted]	[redacted]	( ) EM ( ) Day (●) PM	(●) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment: [redacted]

Work Assignment (Unit #, Module, etc.): [redacted]

Individual Force Used: Resistive Handcuffing — ( ) Directed ( ) Rescue ( ) Medical Assist

Individual Category: (●) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______

Coroner Case #:

E 7

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]		S/A

Sex	Race	Height	Weight	Age	Shift	
(●) M ( ) F	[redacted]	[redacted]	[redacted]	[redacted]	( ) EM ( ) Day (●) PM	(●) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment: [redacted]

Work Assignment (Unit #, Module, etc.): [redacted]

Individual Force Used: Control Holds — ( ) Directed ( ) Rescue ( ) Medical Assist

Individual Category: (●) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______

Coroner Case #:

E 8

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]		S/A

Sex	Race	Height	Weight	Age	Shift	
( ) M (●) F	[redacted]	[redacted]	[redacted]	[redacted]	( ) EM ( ) Day (●) PM	(●) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment: [redacted]

Work Assignment (Unit #, Module, etc.): [redacted]

Individual Force Used: Control Hold — ( ) Directed ( ) Rescue ( ) Medical Assist

Individual Category: (●) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______

Coroner Case #:

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY

CATEGORY 3 FORCE INCIDENT SUMMARY

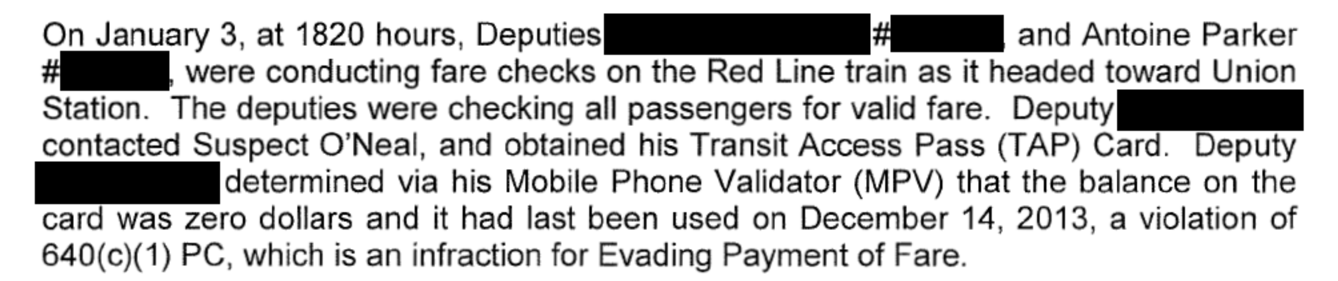
UNIT: Transit Services Bureau
DATE: January 3, 2014
TIME: 1820 Hours
LOCATION: 660 S. Alvarado Street, Los Angeles CA. Mac Arthur Park, Passenger Station.
URN#: 014-00051-6406-058
IAB#: FO2348679

SYNOPSIS:

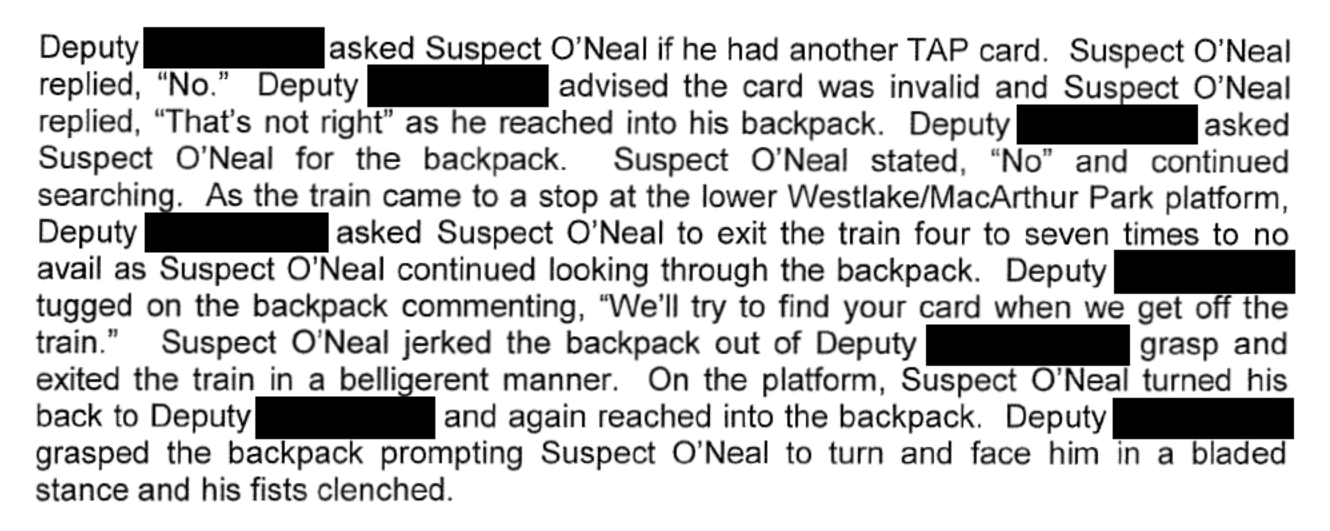
On January 3, 2014, at 2135 hours, On-call Internal Affairs Lieutenant Quitman V. Carter was notified of a Category II Use of Force wherein it was initially reported that Suspect Shawn O'Neal sustained an abrasion to his lip and a complaint of pain to his rib cage and leg.

On January 4, 2014, at 2130 hours, Sergeant Cho #[redacted] provided a medical update from Los Angeles County Medical Center (LCMC) that Suspect O'Neal had sustained a fractured rib.

On January 5, 2014, Lieutenant Carter, Sergeants Jeff Hamil and Dennis Watters responded to Transit Services Bureau South to investigate the use of force. There was a combination of three video sources that captured some of the interaction between the deputies and Suspect. The reported circumstances by the deputies and Suspect O'Neal are consistent with the videos. Copies of all videos and recorded Suspect interviews are included with this investigation as **Exhibit B**.



On January 3, at 1820 hours, Deputies [redacted] #[redacted] and Antoine Parker #[redacted], were conducting fare checks on the Red Line train as it headed toward Union Station. The deputies were checking all passengers for valid fare. Deputy [redacted] contacted Suspect O'Neal, and obtained his Transit Access Pass (TAP) Card. Deputy [redacted] determined via his Mobile Phone Validator (MPV) that the balance on the card was zero dollars and it had last been used on December 14, 2013, a violation of 640(c)(1) PC, which is an infraction for Evading Payment of Fare.



Deputy [redacted] asked Suspect O'Neal if he had another TAP card. Suspect O'Neal replied, "No." Deputy [redacted] advised the card was invalid and Suspect O'Neal replied, "That's not right" as he reached into his backpack. Deputy [redacted] asked Suspect O'Neal for the backpack. Suspect O'Neal stated, "No" and continued searching. As the train came to a stop at the lower Westlake/MacArthur Park platform, Deputy [redacted] asked Suspect O'Neal to exit the train four to seven times to no avail as Suspect O'Neal continued looking through the backpack. Deputy [redacted] tugged on the backpack commenting, "We'll try to find your card when we get off the train." Suspect O'Neal jerked the backpack out of Deputy [redacted] grasp and exited the train in a belligerent manner. On the platform, Suspect O'Neal turned his back to Deputy [redacted] and again reached into the backpack. Deputy [redacted] grasped the backpack prompting Suspect O'Neal to turn and face him in a bladed stance and his fists clenched.

Deputy Parker approached Suspect O'Neal from the rear and grasped his upper arms. He pushed Suspect O'Neal forward to a cement pillar to control him while yelling, "Knock it off and calm down." Suspect O'Neal pushed off the pillar by kicking backwards when he and both deputies, who were attempting to control his arms, fell off-balance to the floor. Suspect O'Neal hit face first on the floor with the deputies landing atop his back.

Suspect O'Neal rolled to his back and continued to resist deputies' efforts to control his arms. Deputy [redacted] broadcast via his portable radio that deputies were in a fight. Moments later, once additional deputies and security assistants arrived, they were able to handcuff his hands positioned in the front of his body. All involved deputies and security assistants wrote supplemental reports and documented their actions and observations. Copies of all the reports are included with this investigation as **Exhibit A**.

Deputies Parker and [redacted] lifted Suspect O'Neal by his arms and escorted him to the escalator to take him to the second floor. Immediately upon stepping onto the escalator, Suspect O'Neal kicked at both deputies and simultaneously attempted to break free. He also began to spit. (MTA video surveillance captures Suspect O'Neal's attempt to escape, **Exhibit B**.) Deputy Parker struck Suspect O'Neal three times on Suspect O'Neal's right calf with a SAP causing him to sit. At the mezzanine level, deputies dragged Suspect O'Neal by his arms from the escalator exit as he yelled racist comments and spat at the deputies. A "Ripp Hobble" was placed around Suspect O'Neal's legs to prevent him from kicking.

Sergeant Cho arrived on scene and instructed a deputy to video the incident. Several deputies used control holds as Deputy [redacted] applied the hobble to Suspect O'Neal's legs. At Sergeant Cho's direction, several deputies un-handcuffed Suspect O'Neal and placed his hands behind his back where he was handcuffed again. Throughout this handcuffing maneuver Suspect O'Neal continued to resist as documented on video.

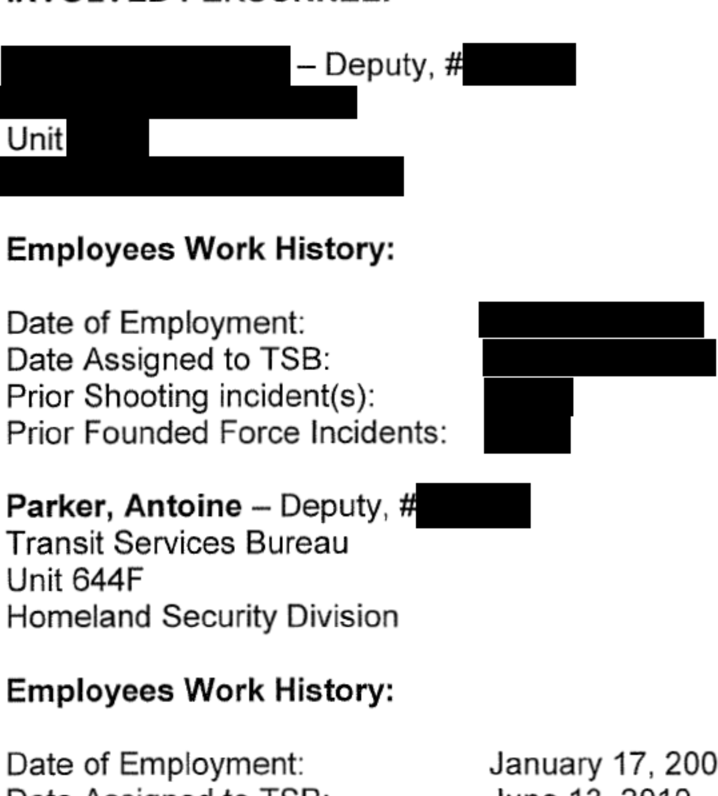
In the initial watch commander's interview, Suspect O'Neal candidly admitted to assaulting the deputies and refusing to obey their orders as described in the above synopsis.

Suspect O'Neal was transported to Los Angeles County Medical Center where he was treated for his injuries by Doctor O'Carroll. He sustained an abrasion to his lip, a contusion to his left leg, and a fractured rib. Doctor O'Carroll advised Sergeant Cho the injuries were consistent with the reported circumstances. A copy of Suspect O'Neal's Medical paperwork is included with this investigation as **Exhibit C.**

> **IAB Note:** Detailed description of each involved deputy and security assistant's force will be documented in the statement summaries.

Suspect O'Neal was arrested for 69 PC. Deputy Parker was treated for injuries he received during the incident. A copy of Suspect O'Neal's conviction and JDIC printout is included in this investigation as **Exhibit D.**

INVOLVED PERSONNEL:



[redacted] – Deputy, #[redacted]
[redacted]
Unit [redacted]
[redacted]

Employees Work History:

Date of Employment: [redacted]
Date Assigned to TSB: [redacted]
Prior Shooting incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

Parker, Antoine – Deputy, #[redacted]
Transit Services Bureau
Unit 644F
Homeland Security Division

Employees Work History:

Date of Employment: January 17, 2007
Date Assigned to TSB: June 13, 2010
Prior Shooting incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] - Deputy, #[redacted]
[redacted]
Unit [redacted]
[redacted]

Employees Work History:

Date of Employment: [redacted]
Date Assigned to TSB: [redacted]
Prior Shooting incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] – Deputy, #[redacted]
[redacted]
Unit [redacted]
[redacted]

Employees Work History:

Date of Employment: [redacted]
Date Assigned to TSB: [redacted]
Prior Shooting incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] – Deputy, #[redacted]
[redacted]
Unit [redacted]
[redacted]

Employees Work History:

Date of Employment: [redacted]
Date Assigned to TSB: [redacted]
Prior Shooting incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] – Security Assistant, #[redacted]
[redacted]
Unit [redacted]
[redacted]

Employees Work History:

Date of Employment: [redacted]
Date Assigned to TSB: [redacted]
Prior Shooting incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] – Security Assistant, #[redacted]
[redacted]
Unit [redacted]
[redacted]

Employees Work History:



Date of Employment: [redacted]
Date Assigned to TSB: [redacted]
Prior Shooting incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] – Security Assistant, #[redacted]
[redacted]
Unit [redacted]

Employees Work History:



Date of Employment: [redacted]
Date Assigned to TSB: [redacted]
Prior Shooting incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

INVOLVED SUSPECT:

O'Neal, Shawn, MB/21, Booking #3822683
DOB: 10/10/2014
[redacted]
Booking Charges: 69 P.C., 241 (C) P.C.

CRIMINAL HISTORY:

[redacted] criminal history [redacted]. A copy of Suspect O'Neal's complete criminal history is included with this investigation as **Exhibit D.**

DEPARTMENT WITNESSES:

Cho, Mina – Sergeant, #[redacted]
Hayhurst, Brent – Deputy, #[redacted]
Jacobs, Andrew – Deputy, #[redacted]

IAB Note: Deputies Hayhurst and Jacobs witnessed the force. Both wrote a detailed supplemental report which is included with this investigation as **Exhibit A.** They were not interviewed for the investigation based on the reports. Deputy Jacobs held the video camera for Sergeant Cho, and Deputy Hayhurst provided crowd control. They transported Suspect O'Neal to the hospital for medical treatment.

Mina Cho, Sergeant, was interviewed on September 3, 2014, at 1311 hours by IAB Sergeants Jeff Hamil and Kim Mendoza. Sergeant Cho was advised of her right to representation for the interview. Sergeant Cho chose not to have representation. The interview was conducted at the El Monte Metrolink station. The interview was digitally recorded and transcribed. The following is a summary of Sergeant Cho's interview.

Sergeant Cho was working as the field sergeant, when she heard emergent traffic on the radio of deputies involved in a fight at the Westlake/Mac Arthur Park passenger station. She was parked out front and ran in, taking less than a minute to reach the mezzanine level. Sergeant Cho saw Suspect O'Neal was handcuffed in the front, and sitting on his buttocks with his ankles secured with a hobble restraint. Suspect O'Neal appeared to be relatively cooperative so she spoke to Deputies [redacted] and Parker to find out what had occurred. Sergeant Cho provided a video recorder to Deputy Jacobs, and he recorded the incident **(Exhibit B)**.

Sergeant Cho saw Suspect O'Neal struggle when deputies attempted to search him, prohibiting the search. At that point, she determined it was unsafe for the deputies to leave Suspect O'Neal handcuffed in the front. Sergeant Cho ordered Suspect O'Neal to be handcuffed behind his back. A quick plan was developed and the deputies attempted to handcuff Suspect O'Neal behind his back. Sergeant Cho stated once one handcuff was off, Suspect O'Neal resisted and fought the handcuffing. She ordered Deputy Parker to grab Suspect O'Neal and turn him around. The deputies were able to handcuff Suspect O'Neal and he stopped resisting. She remembered giving numerous commands for Suspect O'Neal to relax and quit resisting. After Suspect O'Neal was handcuffed they had Suspect O'Neal treated by L.A. City Fire Department and he was transported to the hospital.

Sergeant Cho remembered Suspect O'Neal spitting and attempting to bite. She did not see any deputies choking or applying the carotid restraint, but after reviewing Suspect O'Neal's recorded interview, she remembered his complaint of being choked. Sergeant Cho did not see any civilians recording the incident, nor did she locate any witnesses to the incident. She did have a conversation with a male named "[redacted]" (NFD) over the phone, who complained of excessive force. She wrote a Watch Commander's Service Report, and advised [redacted] the complaint would be handled by IAB. [redacted] provided her with a phone number which she used to contact him later. A Copy of the WSCR is included in this investigation as **Miscellaneous Documents**.

CIVILIAN WITNESSES:

No civilian witnesses were located or interviewed. "[redacted]" was called by IAB Investigators within 12 hours of Sergeant Cho's call. He did not return the call. IAB Investigators made five additional calls to "[redacted]" leaving voice messages with both office and cell phone numbers. To this date he has not returned one phone call.

IAB Investigators also found a video recording of part of the incident on "You Tube." A copy of the video was made prior to the video being removed, **Exhibit B**.

INVOLVED EMPLOYEES:

[redacted], **Deputy,** was interviewed on July 31, 2014, at 1505 hours by IAB Sergeants Jeff Hamil and Dennis Watters. Deputy [redacted] was additionally interviewed on August 18, 2014, at 1010 hours by IAB Sergeants Jeff Hamil and Pat Morris. Deputy [redacted] was represented by Audra Call, Attorney from the Law Offices of Green and Shinee. The interviews were digitally recorded and transcribed. Deputy [redacted] wrote a report documenting his actions; his report is included with this investigation in **Exhibit A.** The following is a summary of Deputy [redacted] report and interviews.

Deputy [redacted] was working with Deputy Parker, they were checking for valid fares on the Redline subway. They had checked approximately 40 fares prior to contacting Suspect O'Neal. Deputy [redacted] would start at one end of the train, while Deputy Parker started at the other. He contacted S/ O'Neal and asked for his Transit Access Pass (TAP) card. Suspect O'Neal presented an expired card and had a zero balance. He asked if he had another and Suspect O'Neal told him no. Suspect O'Neal started to reach into his backpack and Deputy [redacted] told him to stop, until they exited the train, in case he was reaching for a weapon on the crowded train. The train stopped at the passenger station and Deputy [redacted] had advised Deputy Parker who was standing at the other end of the car to "Hold" the train and advised him over the radio (Direct) of the situation. He stated the radio only works on direct in the tunnels.

Deputy [redacted] told Suspect O'Neal to stop looking in the backpack. Suspect O'Neal replied, "No." He told Suspect O'Neal to exit the train and Suspect O'Neal ignored him. He repeated the command four to seven times, while Suspect O'Neal continued to search his back pack. Deputy [redacted], knowing Suspect O'Neal did not have a valid card along with the disregard of his commands to stop looking in the backpack, reached down and grabbed the backpack, telling Suspect O'Neal they would look for another card after exiting the train. Suspect O'Neal grabbed the backpack away from Deputy [redacted] and got off the train. Suspect O'Neal took a combative stance toward Deputy [redacted], (Teeth clinched, fists clinched at chest level, feet spread shoulder with apart).

As Suspect O'Neal took his stance, Deputy Parker immediately grabbed Suspect O'Neal from behind, pinning his arms. Deputy [redacted] grabbed Suspect O'Neal's left arm and told Suspect O'Neal to calm down. They walked Suspect O'Neal to a pillar where they pushed him up against it, chest first. Deputy [redacted] kept ahold of Suspect O'Neal's left arm and told him numerous times, to calm down, it was just a ticket. Suspect O'Neal began to pull away from them in an attempt to break free. Deputy [redacted] could not use his radio to call for assistance because Suspect O'Neal would have broken free of their hold and struck one of them. Suspect O'Neal started to yell racial slurs, ("Nigger" toward Deputy Parker and "Cracker" at Deputy [redacted]), and attempted to kick Deputy Parker, describing it as a backwards "Donkey Kick." With each kick they moved back causing more of their body weight to lean into Suspect O'Neal. Deputy [redacted] was able to get one handcuff on Suspect O'Neal's left wrist.

Suspect O'Neal's kicking caused him to lose balance and fall to the floor head first with both Deputies [redacted] and Parker on top of him. Deputy [redacted] tried to ease the fall to prevent Suspect O'Neal from hitting his head.

They landed on the floor and Suspect O'Neal rolled onto his back and continued to kick at them and spit on Deputy [redacted] shoe. Deputy Parker placed his body weight on Suspect O'Neal's chest and Deputy [redacted] was able to secure the second cuff on his wrist, handcuffing him in the front. Deputy [redacted] was able to put out radio traffic and numerous deputies and security assistants arrived. Deputy [redacted] stated the decision to leave Suspect O'Neal handcuffed in the front instead of putting them behind his back when assistance arrived was based on fatigue, and Suspect O'Neal appeared to be cooperating. He thought it would better to get Suspect O'Neal contained in a radio car before they attempted moving the handcuffs to the rear.

They stood Suspect O'Neal up and walked him to the escalator. Deputy [redacted] had a hold of his right forearm with both his hands and Deputy Parker had Suspect O'Neal's left forearm. Suspect O'Neal immediately began to kick at Deputy Parker and twisted his body to get free from their grasp. Deputy [redacted] saw Deputy Parker strike Suspect O'Neal three to five times on the left calf with his SAP causing him to sit down on the escalator.

After reaching the mezzanine level, Suspect O'Neal continued to kick, spit, and use derogatory language towards them. Suspect O'Neal spit on the pant leg of Security Assistant [redacted]. Deputy [redacted] placed the "Ripp Hobble" around Suspect O'Neal's ankles to prevent him from kicking. They attempted to search Suspect O'Neal, because he kept trying to get into his pocket. As they searched him, he kept pulling away from them violently.

Deputy [redacted] said Sergeant Cho directed them to handcuff Suspect O'Neal behind his back. Deputy [redacted] stated he had Suspect O'Neal's right wrist and once one handcuff was released, Suspect O'Neal tried to pull his arms free. He stated it took four people to get Suspect O'Neal's arms behind him and handcuffed. After he was handcuffed, Suspect O'Neal refused to walk. He was sitting in the middle of the mezzanine, so Deputy [redacted] dragged him by his hoodie to the wall and the Fire Department was called for his injuries.

Deputy [redacted] stated, he considered other force options, but decided against them. Neither he nor Deputy Parker had a Taser and the use of "OC" spray would have contaminated the station. He stated he thought it was the best decision to handcuff Suspect O'Neal in the front because of the force which would be needed to move them behind his back.

For Deputy [redacted]'s complete statement, refer to his report **(Exhibit A)** and transcribed interview which is included with this case book.

Antoine Parker, Deputy, was interviewed on August 6, 2014, at 1450 hours by IAB Sergeants Jeff Hamil and Dennis Watters. Deputy Parker was additionally interviewed on August 14, 2014, at 1118 hours by IAB Sergeant Jeff Hamil, (telephonically). Deputy Parker was represented by Audra Call, Attorney from the Law Offices of Green and Shinee. The interview was digitally recorded and transcribed. Deputy Parker wrote a supplemental report documenting his actions; his report is included with this investigation in **Exhibit A.** The following is a summary of Deputy Parker's report and interview.

Deputy Parker was working with Deputy [redacted] on the Red Line train. They were conducting a fare evasion operation. This was his first day working with Deputy [redacted]. He stood approximately ten feet away from Deputy [redacted] and he heard Deputy [redacted] giving verbal commands to Suspect O'Neal. He saw Suspect O'Neal was not complying with the commands. Suspect O'Neal eventually exited the train and he heard Deputy [redacted] ask Suspect O'Neal to put his hands behind his back. Suspect O'Neal refused and dropped his backpack. Suspect O'Neal had his right fist back, ready to strike Deputy [redacted]. Deputy Parker grabbed both of Suspect O'Neal's arms by reaching underneath Suspect O'Neal's arm pits and grabbed Suspect O'Neal's shoulders in a "Full Nelson." Suspect O'Neal was still able to swing his arms. Deputy Parker walked Suspect O'Neal to a pillar while Deputy [redacted] attempted to calm Suspect O'Neal down. Suspect O'Neal responded by kicking Deputy Parker's shins. Suspect O'Neal continued to attempt to break away by kicking at the shins of Deputy Parker, while he swung his arms.

Deputy Parker continually moved his feet back to avoid the kicks from Suspect O'Neal. Deputy Parker began to lose his control on Suspect O'Neal and Suspect O'Neal fell to the floor, pulling Deputy Parker down on top of him. Suspect O'Neal fell on his back and Deputy Parker landed on top of Suspect O'Neal's upper torso. Suspect O'Neal continued to kick so Deputy [redacted] placed his knees across Suspect O'Neal's legs. Deputy Parker was able to grab both arms and Deputy [redacted] was able to handcuff Suspect O'Neal's hands in front. Deputy Parker placed his left knee on Suspect O'Neal's stomach and his left hand on his upper chest in order to hold Suspect O'Neal down. Deputy Parker pushed Suspect O'Neal's head to the side to prevent him from spitting on them. Deputy Parker held Suspect O'Neal down while Deputy [redacted] put out the radio broadcast. Deputy Parker stated the reason for handcuffing Suspect O'Neal in the front was because of fatigue, and they were attempting to use the least amount of force.

Deputy Parker held Suspect O'Neal until assistance arrived, and helped Suspect O'Neal to his feet. When Suspect O'Neal was stood up, he spit on Deputy [redacted] and Security Assistant [redacted]. Suspect O'Neal continued to be combative as he was walked to the escalator. He kicked and pulled away from the deputies escorting him. Deputy Parker did not have control of Suspect O'Neal but Suspect O'Neal attempted to kick him numerous times. Deputy Parker struck Suspect O'Neal three to five times on the right calf area with his Department approved SAP. Deputy Parker stated the strikes were effective, and Suspect O'Neal stopped kicking. A Ripp Hobble was placed around Suspect O'Neal's legs to prevent him from kicking.

Deputy Parker was removed from the incident and briefed Sergeant Cho. Deputy Parker heard Sergeant Cho direct deputies to handcuff Suspect O'Neal behind his back. He saw the deputies struggle to handcuff Suspect O'Neal. He was directed to hold Suspect O'Neal's upper body and turn him onto his stomach. Deputy Parker stood behind Suspect O'Neal and placed his right arm around Suspect O'Neal's chest. He grabbed Suspect O'Neal's left shoulder and pulled him onto his stomach. He placed his left hand on the left side of Suspect O'Neal's head to prevent him from biting. Deputy Parker wrapped both arms around Suspect O'Neal until he was handcuffed. Deputy Parker stated at no time during the entire incident did he choke or apply the Carotid Restraint to Suspect O'Neal.

For Deputy Parker's complete statement, refer to his supplemental report **(Exhibit A)** and transcribed interview which is included with this case book.

[redacted]**, Deputy,** was interviewed on July 31, 2014, at 1420 hours by IAB Sergeants Jeff Hamil and Dennis Watters. Deputy [redacted] was represented by Audra Call, Attorney from the Law Offices of Green and Shinee. The interview was digitally recorded and transcribed. Deputy [redacted] wrote a supplemental report documenting her actions; her reports are included with this investigation in **Exhibit A.** The following is a summary of Deputy [redacted]' report and interview.

IAB Note: Deputy [redacted] wrote two supplemental reports. Deputy [redacted] stated one of the supplemental reports was a rough draft and was approved by mistake. Deputy [redacted] stated the supplemental report approved by Sergeant Cho is the correct copy. The difference between the reports is the placement of where she saw Deputy Parker's arm. The draft has Deputy Parker's arm around the neck of Suspect O'Neal. The submitted version has Deputy Parker's arm around the shoulder area (see transcribed interview for clarification). For IAB purposes, both copies will be submitted with this investigation as **Exhibit A.**

Deputy [redacted] was working a fare evasion operation at the Westlake/Mac Arthur passenger station. Deputy [redacted] heard from other deputies or security assistants that deputies were involved in a fight on the platform. Deputy [redacted] ran down to the platform area and saw several deputies escorting Suspect O'Neal up the escalator to the mezzanine level. Deputy [redacted] followed, and observed Suspect O'Neal kicking and yelling at the deputies. Suspect O'Neal was sat on his buttocks and Deputy [redacted] applied the Ripp Hobble around Suspect O'Neal's ankles. Deputy [redacted] stated Suspect O'Neal attempted to reach into his right rear pocket when he was being searched by Deputy [redacted] (a large box cutter knife was recovered from Suspect O'Neal's right rear pocket).

Deputy [redacted] provided crowd control until she saw Suspect O'Neal attempt to bite both Deputy [redacted] and Security Assistant [redacted] hands. Deputy [redacted] grabbed Suspect O'Neal's left arm and assisted in handcuffing him. Deputy [redacted] stated Suspect O'Neal continued to struggle and she heard and told Suspect O'Neal numerous times to stop resisting.

For Deputy [redacted]' complete statement, refer to her supplemental report **(Exhibit A)** and transcribed interview which is included with this case book.

[redacted], **Deputy,** was interviewed on August 7, 2014, at 1300 hours by Sergeants Jeff Hamil and Dennis Watters. Deputy [redacted] was represented by Leslie Wilcox, Attorney from the Law Offices of Green and Shinee. The interview was digitally recorded and transcribed. Deputy [redacted] wrote a supplemental report documenting his actions; his report is included with this investigation in **Exhibit A.** The following is a summary of Deputy [redacted]'s report and interview.

Deputy [redacted] was working a fare inspection operation when he heard an assistance request over the radio. He ran to the location and saw Deputies Parker and [redacted] had Suspect O'Neal detained and handcuffed in the front. Deputy [redacted] grabbed Suspect O'Neal's left arm and attempted to calm him down. He escorted Suspect O'Neal up the escalator, when Suspect O'Neal began to kick, spit, and use profanity at the deputies. Deputy [redacted] saw Suspect O'Neal spit on Security Assistant [redacted] and he grabbed Suspect O'Neal's jacket and placed it over Suspect O'Neal's head to prevent Suspect O'Neal's spit from hitting anyone. Suspect O'Neal pulled his arms away to escape from their grasp, and was kicking at Deputy Parker. Deputy [redacted] lost control of Suspect O'Neal for a moment but recovered. He saw Deputy Parker strike Suspect O'Neal three to five times on the right leg with a SAP to stop the assault.

Deputy [redacted] stated at the top of the escalator, Suspect O'Neal went limp, and fell to the floor. Suspect O'Neal continued to yell profanities and attempted to reach into his rear pocket. Suspect O'Neal refused to be searched and pulled violently away from the deputies. Deputy [redacted] was able to retrieve a large box cutter knife from Suspect O'Neal's rear pocket. Deputy [redacted] stated Sergeant Cho had arrived and tried to calm Suspect O'Neal. Suspect O'Neal continued his assault and Sergeant Cho ordered the handcuffs to be moved to behind Suspect O'Neal's back. Deputy [redacted] assisted by grabbing Suspect O'Neal's right arm and saw Deputy Parker "Bear Hug," Suspect O'Neal. Suspect O'Neal continued to fight by biting and spitting. After a brief struggle the deputies were able to handcuff Suspect O'Neal behind his back. Deputy [redacted] saw the injury to Suspect O'Neal, and he was spitting blood at them. He waited with Suspect O'Neal until the Fire Department arrived and he placed a spit mask on Suspect O'Neal.

For Deputy [redacted]'s complete statement, refer to his supplemental report **(Exhibit A)** and transcribed interview which is included with this case book.

[redacted], **Deputy,** was interviewed on July 3, 2014, at 1100 hours by IAB Sergeants Jeff Hamil and Dennis Watters. Deputy [redacted] was advised of the right to representation but declined. The interview was digitally recorded and transcribed. Deputy [redacted] wrote a supplemental report documenting her actions; her report is included with this investigation in **Exhibit A.** The following is a summary of Deputy [redacted]'s report and interview.

IAB Note: Deputy [redacted]'s supplemental report includes Security Assistants [redacted]s and [redacted]s statements. Security Assistants assigned to TSB are not required to write force reports.

Deputy [redacted] was working a fare enforcement operation with her K-9 partner. She heard the radio traffic of the deputies involved in a fight down on the platform. Numerous other deputies and security assistants responded, so she remained up on the mezzanine level with her dog. Deputy [redacted] secured her K-9 as Suspect O'Neal was brought up the escalator.

Deputy [redacted] heard Suspect O'Neal yell profanities and saw him kicking. She took the end of the Ripp Hobble from Security Assistant [redacted], and placed a second one on Suspect O'Neal's legs. She was present during the rear handcuffing of Suspect O'Neal and witnessed the deputies use control holds on Suspect O'Neal. Deputy [redacted] saw Suspect O'Neal spit and she assisted in pulling him to the wall while they waited for the Fire Department.

For Deputy [redacted]'s complete statement, refer to her supplemental report **(Exhibit A)** and transcribed interview which is included with this case book.

[redacted], **Security Assistant,** was interviewed on September 11, 2014, at 0929 hours by IAB Sergeants Jeff Hamil and Pat Morris. Security Assistant [redacted] was advised of the right to representation but declined. The interview was digitally recorded and transcribed. Security Assistant [redacted] did not write a supplemental report documenting his actions; his actions are included in the supplemental report written by Deputy [redacted]. It is included with this investigation in **Exhibit A.** The following is a summary of Deputy [redacted]'s report, and his interview.

Security Assistant [redacted] was checking fares, when he saw Security Assistant [redacted] looking down to the platform area. He looked down and saw Deputies [redacted] and Parker involved in a fight with Suspect O'Neal. He did not hear any radio traffic prior to looking over the rail. He saw Deputy [redacted] on Suspect O'Neal's legs and Parker on Suspect O'Neal's shoulders. He ran downstairs and Suspect O'Neal was handcuffed. Security Assistant [redacted] saw Suspect O'Neal continue to struggle while on the escalator. Suspect O'Neal was spitting, kicking, and swinging his arms. Once up on the mezzanine level, he assisted with crowd control.

Security Assistant [redacted] heard Sergeant Cho tell the deputies to handcuff Suspect O'Neal to the rear. He saw the deputies struggling so he grabbed Suspect O'Neal's left arm to assist in forcing it behind the back. He stated Suspect O'Neal attempted to bite him, and he was told to back out by Deputy [redacted]. He stated he went back to crowd control, but at no time did he see any Department Personnel choke Suspect O'Neal.

For Security Assistant [redacted]s complete statement, refer to Deputy [redacted]'s supplemental report **(Exhibit A)** and transcribed interview which is included with this case book.

[redacted], **Security Assistant,** was interviewed on September 11, 2014, at 1014 hours by IAB Sergeants Jeff Hamil and Pat Morris. Security Assistant [redacted]-[redacted] was represented by Venice Wallace from POPA. The interview was digitally recorded and transcribed. Security Assistant [redacted] did not write a supplemental report documenting her actions; her actions are included in the supplemental report written by Deputy [redacted]. It is included with this investigation in **Exhibit A.** The following is a summary of Deputy [redacted]'s report, and her interview.

Security Assistant [redacted] was working monitoring fare evaders when she saw Security Assistant [redacted] looking down the stairs. She joined him and saw Deputies [redacted] and Parker in a fight. She stated Deputy Parker was on the shoulders, and [redacted] was on Suspect O'Neal's Legs. She ran downstairs and assisted with crowd control. Security Assistant [redacted] was providing crowd control when Suspect O'Neal spit on her pant leg. She followed Suspect O'Neal and deputies up the escalator and when they reached the mezzanine, she held the end of the Ripp Hobble until relieved by a deputy. She continued with crowd control and did not see the force used when Suspect O'Neal was handcuffed.

Security Assistant [redacted] did not see any Department personnel choke Suspect O'Neal, nor did she hear any radio traffic over the radio prior to her looking down the stairs and observing the fight.

For Security Assistant [redacted]'s complete statement, refer to Deputy [redacted] supplemental report **(Exhibit A)** and transcribed interview which is included with this case book.

[redacted], **Security Assistant,** was interviewed on September 17, 2014, at 1121 hours by IAB Sergeants Jeff Hamil and Pat Morris. Security Assistant [redacted] was represented by Teresa Machado from POPA. The interview was digitally recorded and transcribed. Security Assistant [redacted] did not write a supplemental report documenting his actions; his actions are included in the report written by Deputy [redacted]. It is included with this investigation in **Exhibit A.** The following is a summary of Deputy [redacted]'s report, and his interview.

Security Assistant [redacted] was working a fare evasion operation, and was writing a ticket to a fare evader, when an unknown individual approached him and complained to him, about someone beating her friend. He looked in the direction and didn't see anything, so he continued to write the ticket. He looked again and saw boots and green pants. Security Assistant [redacted] looked a third time and saw Deputy [redacted] and Parker on top of Suspect O'Neal. Security Assistant [redacted] saw Suspect O'Neal handcuffed and thought the situation was over; he continued to cite his evader. He waited for the next train and heard a commotion behind him. He looked and Suspect O'Neal was escorted up the escalator and sitting on the floor of the mezzanine. He assisted with crowd control until he heard Sergeant Cho direct the deputies to handcuff Suspect O'Neal behind his back. Security Assistant [redacted] saw the deputies' struggle with Suspect O'Neal and a female deputy lost control of Suspect O'Neal's arm. He also heard someone tell Security Assistant [redacted] to watch out because he was about to be bitten.

Security Assistant [redacted] grabbed the left wrist and arm of Suspect O'Neal and assisted in handcuffing him. He stated Suspect O'Neal resisted by pulling his arm away, and attempted to kick him. After Suspect O'Neal was handcuffed, he went back to crowd control.

For Security Assistants [redacted] complete statement, refer to Deputy [redacted]'s report **(Exhibit A)** and transcribed interview which is included with this case book.

SUSPECT STATEMENT:

Shawn O'Neal, Suspect, was interviewed on videotape January 3, 2014, at 2030 hours, by Sergeant Cho #[redacted]. The videotape was transcribed and is included in this case book. A copy of the videotaped interview is included with this investigation as **Exhibit B.** The interview was conducted at the LCMC.

Suspect O'Neal was riding the train, and he did not have fare. The deputies tried to detain him, but he resisted by pulling his arms away from them. He described the deputies as big guys, one white and one black. Suspect O'Neal said he heard the deputies tell him to "Stop," numerous times, but he didn't listen. He stated the black deputy attempted to trip him but he didn't fall, so the deputy used his arms and threw him to the ground. He fell face first and hit his face on the ground, causing the lip injury.

Suspect O'Neal continued to "Resist," so the deputies used a strap to tie his legs. He remembers the deputies telling him to quit resisting. Suspect O'Neal was pinned to the ground and a deputy had a knee on his chest. The deputies dragged him to the escalator and he continued to "Wiggle" trying to get free. On the escalator, he stated one of the officers struck him three to four times with a stick on the right leg. Suspect O'Neal stated he continued to resist and again heard the deputies tell him to stop. Suspect O'Neal stated he continued to resist until he was choked by the deputies. After he was choked he told the deputies he was done and submitted. Suspect O'Neal admits to spitting at the shoes of the deputies, but denied kicking them.

For Suspect O'Neal's complete statement, refer to his transcribed interview included in this case book.

SUSPECT INJURIES:

Suspect O'Neal sustained a laceration to his lip, broken rib, and a complaint of pain to his right leg. Suspect O'Neal also had small abrasions on both sides of his neck. Video and photos of Suspect O'Neal's Injuries are included in **Exhibit B.** A copy of Suspect O'Neal's medical paperwork is included in the case book as **Exhibit D.**

DEPUTY INJURIES:

Deputy Parker sustained an injury to his right wrist. He was placed on modified duty but has since returned to full duty.

PHYSICAL EVIDENCE:

None

WEAPONS USED BY DEPARTMENT PERSONNEL:

Impact weapon: SAP

WEAPONS USED BY SUSPECT:

None

PROPERTY DAMAGE:

None

RADIO TRANSMISSIONS:

No radio traffic was put out until after the first force incident. A copy of the subsequent radio traffic is included with this investigation as **Exhibit B.**

VIDEO:

Three video's each capturing different segments of the incident is included with this investigation as **Exhibit B.**

MTA SECURITY VIDEO

0040- Security Assistants walk downstairs.
0111- Camera starts to move to incident.
0124- Suspect handcuffed.
0142- Suspect walked to escalator.
0200- Suspect begins to fight on escalator.
0207- Suspect and deputies out of view.

YOU TUBE VIDEO

0023- Approached S/A [redacted].
0032- Deputies Parker and [redacted] on top of Suspect O'Neal.
0114- S/A [redacted] and [redacted] respond.
0127- Parker has knee on Suspect O'Neal's stomach and hand on chest. [redacted], holding legs. Parker's right hand pushing left side of Suspect O'Neal's Head.

PART TWO

0011- Suspect O'Neal on side, [redacted] applying Ripp Hobble.
0049- Sergeant Cho arrived, Suspect O'Neal sitting upright. (Video Ends)

SERGEANT CHO'S VIDEO

0021- Suspect O'Neal reaches for right rear pocket.
0036- Suspect O'Neal starts to pull from grasp of [redacted].
0040- Suspect O'Neal searched.
0056- Suspect O'Neal states he has a weapon in right rear pocket. Suspect O'Neal has no visible injuries.
0122- [redacted] removes knife from pocket.
0217- Suspect O'Neal attempts to pull away from [redacted].
0238- Sergeant Cho directs deputies to handcuff Suspect O'Neal behind back.
0248- [redacted] directs personnel to secure arms.
0248- Second cuff on right arm, before first removed.
0313- Suspect O'Neal tries to bite S/A [redacted].
0333- Parker comes in behind Suspect O'Neal reaches under his chin and grabs left shoulder.
0334- Parker pushes Suspect O'Neal's head to the right, away from S/A [redacted].
0338- Handcuff removed Suspect O'Neal kicks, and pulls away from deputies.
0349- Suspect O'Neal rolled onto stomach.
0420- Suspect O'Neal handcuffed all deputies step away, except [redacted].
0500- 902R requested.
0511- Second Ripp Hobble placed.
0536- First Ripp Hobble removed.
0614- Suspect O'Neal refuses to walk.
0630- Suspect O'Neal dragged by jacket to wall.

1257- Fire Department arrives.
2048- Suspect O'Neal placed on gurney.
2548- Spit masked placed on Suspect O'Neal.
2802- Suspect O'Neal lifted into Radio Car.
(Video Ends).

CRIMINAL CHARGES:

On January 7, 2014, Suspect O'Neal was charged with two felony counts of 69 P.C. On January 23, 2014, Suspect O'Neal pled guilty to one count of 69 P.C. He was sentenced to 180 days in County Jail and three years' probation.